
KING COUNTY
2007-2008
Charter Review Commission

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REPORTED BY: Yvonne A. Gillette, CCR No. 2129.

COUNCILMEMBER:

LARRY PHILLIPS

COMMISSIONERS:

LOIS NORTH

GREGG HIRAKAWA

BRYAN GLYNN

MICHAEL WILKINS

KIRSTIN HAUGEN

TARA JO HEINECKE

TERRY LAVENDER

JUAN BOCANEGRA

MR. HIRAKAWA: My name is Gregg Hirakawa. I'm cochairing this meeting this evening. We'll do some brief introductions first, and then we'll get everything going. To my right is council member Larry Phillips. He represents this district along with Queen Anne, Magnolia, Wallingford, downtown area. To his right is our cochair of the entire commission, Lois North. And we also have other commissioners here. In the front, is Mike Wilkins, Tara Jo Heinecke in the red. In the middle over there, Kirstin Haugen, and Terry Lavender. We also have staff with us tonight. Mark Yango. Charlotte Ohashi in the back. And Corrie Waterson right here up front as well.

So we're here to listen to you tonight. And to give a brief overview is Bryan.

MR. GLYNN: I'm Bryan Glynn. In real life I'm general counsel for Cascade Land Conservancy. The Charter Review Commission is a charter mandated citizen group that is asked every ten years to consider possible revisions to the King County charter, which is the fundamental document that guides the structure of county government. We have been appointed by the county executive to do that.

1 We will make a report next year to the county
2 council with regard to the charter issues that might
3 be considered for public vote.

4 The Commission represents or is made up of
5 people from all nine council districts. We have
6 been holding hearings around the county for the last
7 few weeks. We will have a hearing in every council
8 district. We have been talking with people who have
9 come to our meetings and addressed us on various
10 issues. We have had extensive outreach to more than
11 three hundred people in groups, gotten input from
12 them. And now our mission is to hear from the
13 public. And subsequently, we'll also take written
14 testimony if you don't want to talk.

15 Before we go to public testimony, we're going
16 to do two things. First, Councilmember Phillips is
17 going to talk. And Mark Yango is going to talk
18 briefly about the charter. Councilmember Phillips.

19 MR. PHILLIPS: Bryan, thank you. It's great to
20 be with you this evening and join all the members of
21 the Charter Review Commission that are here this
22 evening and representing all the commission as a
23 whole in terms of their outreach and their work on
24 behalf of the citizens of King County. I want to
25 commend you for your time and effort. It's hard to

1 give up this much time, especially with the good
2 weather approaching us in summer. But for myself
3 and my colleagues, thank you for your great work,
4 your outreach to our community, listening to their
5 concerns and holding these public hearings, and then
6 of course thoughtfully considering their views and
7 recommendations as you begin to formulate them and
8 bring them forward to the executive and to the
9 county council.

10 I particularly wanted to thank the cochairs of
11 the commission, Governor Mike Lowry and former
12 Councilmember Lois North, two very fine elected
13 county officials who had a great deal to do with the
14 beginnings of county government as we know it today
15 under our charter and putting the first elements of
16 county charter government together. And I think
17 your work has stood the test of time. And for the
18 citizens of King County who may be a little bit new
19 to our charter and what has come before us, it came
20 out of a period of turmoil that the freeholders and
21 citizens did great work in putting the modern
22 charter together in my judgment. And I notice on
23 the first slide, it has stood the test of time for
24 some 40 years.

25 So I want to say thank you again to them and

1 for their great work. We are fortunate to live in a
2 community where citizens will step up and volunteer
3 and try to meet their constitutional, and in this
4 case, charter responsibilities, and try to make a
5 product better if it needs to be. And the work of
6 this commission, I think, is very helpful to our
7 democracy helping to provide the citizens with a
8 sense our work is reliable, stable, and the
9 governance we have actually works, even in the
10 context of having to make some changes.

11 So along with all of you and our two former
12 county elected officials, I have had a chance to
13 work in King County government for a long time, had
14 an opportunity to work on both sides of the
15 government, first as a staffer to then County
16 Executive Randy Revelle as his chief of staff, now
17 as a member of the county council. I have had a
18 chance to see the operations of county government
19 from both sides. And I highly value the work of the
20 executive and the council, our legislative agencies,
21 of course, our courts and their work with regard to
22 direction of county government and serving our
23 public.

24 I wanted to say before we go too much further
25 though that it's a very dynamic county that we live

1 in. So this charter is very helpful to us in
2 meeting the issues as they emerge and as an organic
3 law of our county, very helpful to us in settling a
4 lot of disputes. So I take it seriously. I think
5 the charter is a great document in terms of
6 alignment of authorities and also of the various
7 branches of our government, but also providing the
8 checks and balances which I think is necessary and
9 to make sure we're formulating good policy.

10 One of the things I wanted to mention --
11 actually two major points I wanted to say this
12 evening is our public is demanding transparency in
13 our governments, from the federal to state to local
14 governments. And certainly county government as a
15 regional government. And I think the voters have a
16 right to know what their government's up to. And
17 they also have a right to know who is serving in
18 their various posts in our local governments,
19 particularly county council. One of the things I
20 wanted to address this evening is the importance of
21 exposure of political philosophy to voters as they
22 make a choice.

23 You have been wrestling with this, the issue
24 of whether it should be a partisan or nonpartisan
25 county council. It's a seemingly age old question

1 in terms of that dispute. I come down on the side
2 of hopeful that we would continue with the partisan
3 government. And it's not because the county council
4 is a terribly partisan place. I want to explode
5 that urban myth, if you will. But I think in terms
6 of transparency, it helps the voter to know who is
7 serving in the county government.

8 And I also believe, as you will see and know
9 probably at this point, the breadth and depth of
10 political opinion and philosophy in King County.
11 And I think that over time our county council has
12 represented those views. And I think frankly it
13 makes for better legislation when-- at the end of
14 the day to have those views expressed, to have the
15 discussion and debate being fully engaged so the
16 public knows where people are on the issues and also
17 that their views have been expressed.

18 The reason I think it's important in terms of
19 the voter's perspective, who they are voting into
20 office versus what happens once people are
21 governing, is that I think there is a sense that the
22 county council is overwhelmingly partisan. And so I
23 did a little research, because that has not been my
24 experience. Looking back over nearly five thousand
25 votes on the county council for the last nine and a

1 half years, if I asked you to guess how many of
2 those would have been split votes, most people that
3 I have talked to have been upward north of ten
4 percent. In fact, only six percent of nearly five
5 thousand votes have been split. Almost all of our
6 legislation over that nine and a half years has been
7 unanimous. And the reason I'm fairly confident
8 those statistics would bear out in my experience is
9 the county council works its legislation very hard.
10 We get good proposals. And our county council works
11 the legislation well in committee before it comes to
12 a full vote before the council. Amendments are
13 entertained. But they are dealt with appropriately.

14 Of the votes that are split, in the last nine
15 and a half years, one half of one percent have been
16 partisan. And I brought the sheet of partisan votes
17 here. In other words, when it's a thirteen member
18 council, it was seven to six one way or the other
19 along party lines. Most of the split votes that we
20 do have tend to be not along party lines, but more
21 along geographic lines, if you will, the differences
22 between urban, suburban, and rural King County. And
23 those interests are not always the same. So we do
24 from time to time have split votes.

25 So I wanted to address that issue. I know

1 it's been on people's minds for a long time. But my
2 experience has been having that representation is
3 important. Having that debate and discussion is
4 important. And working well as a legislative body,
5 I think, ends up getting the kind of legislation
6 that we have. And it too stands the test of time.

7 The other thing I wanted to say is the charter
8 has been very effective, in my judgment, over the 40
9 years. It hasn't required a lot of amendment. And
10 I think as you take your testimony, look at
11 recommendations, and formulate potential amendments,
12 there are a couple of areas that I do think must
13 have some attention. The State Supreme Court did
14 decide a case that led us to the initiative process
15 to amend the county charter by initiative.

16 I was not a friend of that. I think the
17 system we had has been a good one relative to the
18 Charter Review Commission making recommendations and
19 the county council moving those forward as
20 appropriate to the voters. But we do have the
21 initiative process now as a result of Supreme Court
22 opinion. I don't think though that you can borrow
23 the referendum section of the county charter and its
24 signature requirements in order to do the
25 initiative-- initiative portion of the charter. So

1 we're going to have to put a new section in place,
2 in my judgment.

3 The other is, we have, in my judgment, a very
4 fortunate situation with regard to the regional
5 committees that serve our public, regional water
6 quality, regional transit, and the regional policy
7 committees. Two of those are hold overs from the
8 Metro merger, and they work very well. But that was
9 formulated in the merger when it went to the
10 thirteen member council, and we now have a nine
11 member council.

12 As Lois North and I were speaking ahead of
13 the meeting a little bit about the difference
14 between the two. King County is a very big place,
15 1.8 million people, 39 cities, but only nine county
16 council members. I would like to make a graphic
17 here if you will to bring home and illustrate this
18 point. If you had a stadium 25 times the size of
19 Husky Stadium, and you filled it with every person
20 in King County, imagine trying to look across the
21 stadium and pick out your county council member.
22 It's a difficult job relative to the size of this
23 county and the responsibilities. And then to have
24 nine of us serve on those three committees without
25 shrinking those committees, I think, is very

1 difficult in terms of our overall responsibilities.

2 I hope you would take a look at the size and
3 the number of the regional committees and see if
4 there's something we might be able to do to better
5 structure them for our appointment to them and the
6 attendance at the meetings. I think that would be a
7 great help.

8 Those are the two that come to mind that I
9 think need to have some serious attention by the
10 Commission. But I think the fewer the number, the
11 better, because our county charter has stood the
12 test of time and served our citizens very well and I
13 think puts us in a position to serve them well into
14 the future.

15 So, Bryan, thank you for the chance to be
16 here.

17 MR. GLYNN: Any questions? Terry.

18 MS. LAVENDER: Do you think on the issue of
19 partisan versus nonpartisan -- since the primaries
20 have changed. You used to be able to cross and vote
21 for more moderate people in the primaries, and now
22 the primaries are controlled by the parties. Do you
23 think that causes things to become more partisan?

24 MR. PHILLIPS: I don't think we have seen that
25 yet. We do have members of our council who are

1 conservative and liberal and moderates in between.
2 And I think it also goes from issue to issue. We
3 have not seen that yet with regard to the doing away
4 of the blanket primary and allowing people to cross
5 party lines. I think that may be something we can
6 think about in the future, but I haven't seen it
7 yet.

8 MR. GLYNN: Anything else for Councilmember
9 Phillips? Thank you very much.

10 At this point, I'm going to ask Mark to talk
11 briefly to the process that the Commission is
12 following.

13 (Powerpoint presentation by Mark Yango.)

14 MR. GLYNN: Before we call the first person to
15 speak, I want to make sure that -- there's a
16 verbatim transcript being made of this so we will
17 have a record of what you say, so speak clearly.
18 And when you go up there, state your name, please.

19 The first person we have is Carin Willette.

20 MS. WILLETTE: I put a question mark there.
21 They told me I had to sign a form.

22 MR. HIRAKAWA: I wasn't sure if you wanted to
23 speak tonight.

24 MS. WILLETTE: Actually I was about to leave.
25 I appreciate the fact that I was able to sit here

1 and get some information. I have been interested in
2 county government only because of personal issues.
3 And I have been in contact with Bob Ferguson's
4 office. I believe Bob Ferguson is my council
5 member. Isn't that correct?

6 MR. HIRAKAWA: You live on Lake City Way. I
7 believe that's correct.

8 MS. WILLETTE: Yeah. I used to live in a
9 different place when my husband was alive and we
10 were married. And he was a journalist. So I don't
11 have any opinion whatsoever. I'm the ex-wife of a
12 dead journalist. So as the ex-wife of a dead
13 journalist who's been homeless in Seattle,
14 Washington because of problems he had -- and, you
15 know, I don't want to speak. And I used to work for
16 the State of Washington. So I have nothing to say.
17 But I wanted a comment thing. I know some people
18 who are interested. I'll just bring two of them.

19 I don't have e-mail. I have had a lot of
20 problems with e-mail, people asking me about e-mail
21 lately. I did not have e-mail when I was employed
22 except at home. And I don't know exactly-- I still
23 don't know. My backpack was stolen when I was
24 homeless in July of 2001. And to make a long story
25 short, I recently called to find out about this, the

1 police again. And they still don't know what
2 happened. I know the people did use my name. But
3 I'm a member of Folklife. I'm in the phone book.
4 Carin, C-A-R-I-N, Willette, W-I-L-L-E-T-T-E.

5 MR. GLYNN: We have three other people, but
6 they have not indicated they want to speak. Travis
7 Commodore? No. Joe McGavick. No? I think Mian
8 Rice has left. So I think that's it for now.

9 Does anybody have any questions about the
10 process? Time line, what sort of things-- anything
11 your neighbors, fellow citizens have been saying.
12 We can sit here and wait too. We have got until
13 eight o'clock.

14 All right. I would like to thank
15 Councilmember Phillips for being here.

16 MR. PHILLIPS: Happy to be here.

17 MR. GLYNN: So we'll go into a brief recess
18 here.

19 MS. LAVENDER: When I was just looking in the
20 chart on the regional committee, and they are set up
21 to have twelve members, six of them from the cities
22 and six of them from the county council. If you
23 reduce the number of county council members, would
24 you also propose reducing the number of city
25 members?

1 MR. PHILLIPS: Yes. With regard to-- and we
2 have done this in some instances to insure
3 geographical representation and keeping more voices
4 at the table. We have split those in certain cases
5 where we may have two people on the committee, but
6 they only have a half vote. That makes sure you
7 have a geographical representation and the voices
8 there to articulate that city or a view from that
9 portion of the county.

10 MS. LAVENDER: Right now, you pretty much have
11 to be on two committees.

12 MR. PHILLIPS: Yes. And some of us have served
13 on three. If you look at the-- and I saw Ross Baker
14 here who's been through this. He's battle scarred
15 now, because of these issues of trying to get county
16 council members onto our standing committee
17 structure and the regional committee structures and
18 the emerging regional committees that weren't there
19 ten or fifteen years ago. A huge endeavor. We
20 didn't have the regional transportation investment
21 district a few years ago. We spent years trying to
22 get something. We didn't have Sound Transit in
23 terms of our involvement with that, which is heavy
24 duty. That's a lot of work on the executive side
25 but also for the council.

1 Those are three relatively new regional
2 responsibilities. And if you add in other outside
3 activities, the workload is daunting. Two hundred
4 thousand constituents to represent, which is a big
5 load. You add in all the regional work, the
6 standing committee work, the council meeting on
7 Monday afternoon, and the regional work on top of
8 that, what you end up with is tired council members.
9 But you also end up with situations where members
10 can't fully participate in the regional committee
11 work.

12 I value it very highly. But we're not
13 cramming any more hours in the week. That's the
14 problem. So it would be helpful if we address that
15 issue. It was really set up for a thirteen member
16 council.

17 MS. NORTH: Do you have any ideas how you can
18 substitute a mechanism for the regional committees?
19 I know how important it is for suburban cities to
20 feel -- because it is a regional government, and
21 it's extremely important. And I also know having
22 been in your shoes that by the time you do the Puget
23 Sound council governments, the standing committees
24 on the county council, as you state, meet and visit
25 with your constituents, try to cover those regional

1 committees, it is a lot. But what can we do to
2 address it? The regional committees are important.

3 MR. PHILLIPS: They are very important.

4 MS. NORTH: Is there some other alternative?

5 MR. PHILLIPS: Well, a deal's a deal. When we
6 did the merger, we said we would carry forward the
7 two major responsibilities. There needs to be a
8 mechanism to address regional transit issues and to
9 address regional water quality. And then
10 Councilmember Nickles and I articulated that there
11 needed to be a place for the region to address
12 emerging issues. And that's where regional policy
13 came from.

14 I am not articulating that we get rid of any
15 one of them. I think a deal's a deal. It's just
16 the structure of them I think needs to be addressed
17 in terms of the best use of our time and resources.
18 One member did say, maybe we could fold them all
19 together and have a regional policy committee, and
20 you would address transit and or other elements. I
21 thought about it from time to time. Well, if we
22 can't get a charter amendment through rather than
23 meet monthly, why don't we meet quarterly? And you
24 could have a month devoted to water quality, a month
25 that's devoted to transit, a month devoted to

1 regional policy work. But instead of two hours, you
2 could meet a whole day. There are different ways to
3 structurally deal with it.

4 I am not sure we need a charter amendment to
5 do what I just said. But it does need to be
6 addressed, in my judgment, in order to carry on the
7 promise of the good work of those committees, but
8 also to make sure they continue to be functional.

9 MS. NORTH: While we're at it, now that you're
10 here, I have heard, at least when I was on the
11 council myself, from the participating cities, they
12 would say, there should be some teeth that requires
13 that the county council must take a vote up or down
14 on our recommendations. That very often these
15 committees meet and work and arrive at some kind of
16 recommendation. It goes to the council and just
17 dies somewhere in a black hole. And their wish was
18 that it had to be addressed within a month or six
19 weeks by the council and that there was an honest to
20 gosh discussion of it and an up or down vote. Does
21 that make any sense?

22 MR. PHILLIPS: I am not sure that that's been
23 my experience. So I guess I would have to talk to
24 someone who had that experience. Under our charter,
25 if it's a regional plan or policy that's brought

1 over from the executive, it must be -- it's a
2 mandatory referral to the standing committee. In
3 other words, if it's changing policies with regard
4 to Metro transit, and the executive forwarded it to
5 the county council, it goes to the county council
6 for first reading and is referred as a mandatory
7 referral to the regional transit committee. If we
8 change it or defeat it, it's got to go back to the
9 regional, in this case, regional transit committee
10 and be dealt with again. I am not aware of that.

11 Where this gets a little tricky is when there
12 are suburban officials and others who would like to
13 have more operational control and budget and
14 programmatic control of county government as opposed
15 to policy. These are policy committees. So this
16 has been a raging debate for some time as to what is
17 a policy, what is a budget, what is a program.

18 So on the operational side, we're very careful
19 that operations of the county government stay with
20 the county executive and the policy oversight with
21 the council. If it's a regional policy matter, then
22 it comes to the regional policy for the first
23 opportunity to deal with it. But, again, I think we
24 have been pretty respectful of those lines of
25 demarcation, if you will. I guess I would have to

1 hear the examples. It's certainly not been true in
2 water quality which is the committee I serve on. We
3 debate things endlessly.

4 MR. GLYNN: Any other questions among
5 ourselves?

6 MS. HEINECKE: And I don't know if it's so
7 much a question, but just a comment, because most of
8 us in the room are commissioners. But I know as I
9 have been talking to people about these hearings and
10 encouraging turn out, I have heard a lot of people
11 confused about what the role of county government
12 is, what the mission of county government is
13 relative to things like public safety. How come it
14 is that the State Patrol has these roads, and the
15 county has those, and the city police department has
16 those? And why does it have to be that way? And is
17 there a more efficient way to do it? That would
18 involve certainly a lot more than looking at just
19 the county charter and making those kinds of
20 changes.

21 But I'm wondering how you would respond to
22 people asking you that kind of question.

23 MR. PHILLIPS: Kind of two questions, the role
24 of county government and how did we get to this
25 mess. Take the last one first. We have a popullist

1 tradition in the state of Washington. And much of
2 our governance is derived from the state
3 constitution and state law. And so we have a county
4 government because we're a subdivision of the state.
5 And then within your counties, if you want to go to
6 a municipal form of government, citizens are free to
7 do that. But there's always a theory that citizens
8 within this state like government very close to
9 them. That's why we have almost three hundred
10 school districts in the state of Washington, because
11 people want to be able to access their local elected
12 official on the issue of the day. But that has much
13 more to do with our tradition than necessarily
14 issues of being very efficient.

15 The role of county government is pretty
16 simple. We're a local government provider, and
17 always have been, even before we had a current form
18 of government. We're also a regional provider of
19 service. One of the questions I noticed up here,
20 not on this chart. I think it was twelve-- one of
21 the questions up here was how can King County
22 government simultaneously meet the needs of urban
23 and rural residents? Well, they have been doing it
24 for as long as I have been around county government.
25 It's nothing new. We have been providing local

1 services to unincorporated King County, and we have
2 been providing regional services since there was a
3 county government, because for public safety
4 purposes, the state requires it. There must be a
5 superior court. The provision of public safety and
6 justice must be done by county government. Your
7 cities can't try felons. So we do both.

8 I would say we are slowly emerging much more
9 as a regional government than a provider of local
10 government services with the exception of the rural
11 area. And as the urban -- pockets of urban
12 unincorporated King County disappear, it will be
13 mostly the rural area we deal with in terms of local
14 services. And we will continue to provide the
15 regional services which we have talked about as a
16 matter of law or things that we have come into
17 contact with, transportation, natural resources,
18 whatever it might be.

19 Mostly, I say that because I think there will
20 be an opportunity for some of our agencies like the
21 sheriff's department to work for cities by contract,
22 which I think is a good thing in terms of your
23 comment about efficiency. Our sheriff's department
24 gets pretty good reviews for the services they
25 provide.

1 So it's a mix. I think it's a pretty good
2 one. And the regional responsibilities are going to
3 be pretty important.

4 MR. BOCANEGRA: Just to follow up a little bit
5 on what you were saying regarding public safety.
6 One of the concerns that it's very important in the
7 Latino community right now is the raids by
8 immigration and-- ICE -- I don't know what they call
9 them anymore. And one of the things that we have
10 been able to do like with city government, we have
11 been able to get the police department to not
12 cooperate with ICE when it comes to arresting
13 undocumented workers in the city. And it's worked
14 very effectively.

15 Where it kind of went off was when the
16 operation in South Park occurred about a year and a
17 half or two years ago where county police and city
18 police started to cooperate with ICE in doing some
19 of the raids that they were doing. And we were able
20 to harness or pull back the harness on the city
21 police department based on the law we were able to
22 pass at the city level.

23 I believe that the county charter doesn't only
24 deal with physical issues or with environmental
25 issues. It also needs to deal with the some of the

1 social concerns that people have in the city and the
2 county. And one of those is, you know, the ability
3 or the inability of federal government to conduct
4 its own business within our county. And county and
5 city officials and state officials should be doing
6 the work they need to do. And I believe there's a
7 need for some kind of recognition by county
8 government of its role within the federal mandate,
9 especially now as we are beginning to see ICE bring
10 in agents into Oregon in large numbers to do raids
11 in Oregon. They are bringing large numbers of
12 agents in the state of Washington to do raids here.
13 They have allocated over \$30 million nationally. A
14 good portion of those dollars are going to come to
15 the state of Washington. So we need to brace
16 ourselves.

17 I believe that county government and state
18 government and city government needs to play a role
19 in telling the federal government that that cannot
20 happen in our communities, just the same way we
21 thought about domestic violence issues, public
22 safety, the whole gamut of what we have seen. The
23 education, the mistreatment of kids in schools.
24 People, if they are afraid of law enforcement, they
25 won't come forward. And that's going to have an

1 impact on all our community. I think we need to
2 start thinking about that as a positive change
3 within our charter or an ordinance passed by the
4 county addressing that particular issue, because
5 it's a very threatening kind of situation for many
6 workers who find themselves unable to speak out as a
7 result of the menacing situation they find
8 themselves in.

9 MR. PHILLIPS: I appreciate your comment. It's
10 certainly a policy issue that the council would
11 entertain with the executive's recommendations.
12 Thank you for bringing that up.

13 MR. GLYNN: Any other questions or comments?
14 Remember to send in your cards or letters or even
15 e-mails. And we appreciate your taking the time to
16 come down and talk with us.

17 MR. HIRAKAWA: Thank you very much. I guess
18 we stand adjourned.

19 (Meeting adjourned at 7:20 p.m.)
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